

STATEMENT OF PURPOSE

RS18541C2

This legislation updates language that was originally adopted from California statutes in 1913 with only slight revisions in the mid 1970's. If adopted, this will bring Idaho to a more common schedule with respect to our neighboring states regarding the time frame that the Idaho Public Utilities Commission is allowed to determine a new tariff or rate. A six (6) month period is the standard that is currently allowed for discovery, evaluation, and suspension in Idaho. Similar statutes in our neighboring states, which are served by common utilities are as follows:

The noted change allows Idaho to benefit if determined necessary from the efforts of other states being served by common utility providers by a longer time period, eight (8) months, to determine all relative factors involved in a rate case filing. This legislation also combines the intent of I.C. 62-622 and I.C. 62-623, thus eliminating the need for one of these code sections. As a result I.C. 62-623 will be eliminated.

Utah - 8 Months - The commission shall approve or deny the application under this section within 240 days (8 months) after it is filed. If the commission has not acted on an application within 240 days, the application is considered granted.

Wyoming 9 Months plus 1 month review period (Title 37) Whenever there is filed with the commission by any public utility any application or tariff proposing a new rate or rates, the commission may, either upon complaint or upon its own initiative, initiate an investigation, hearing, or both, concerning the lawfulness of such rate or rates. Pending its decision thereon, the commission may suspend such rate or rates, before they become effective but not for a longer initial period than six (6) months beyond the time when such rate or rates would otherwise go into effect. If the commission shall thereafter find that a longer time will be required, the commission may extend the period of suspension for an additional period or periods not exceeding in the aggregate, three (3) months.

Oregon 10 Months (ORS 757.215) The commission shall issue a written order with findings on the evidentiary record developed in the proceeding. A filing made under this subsection is subject to the commissions authority under ORS 757.215 to suspend a rate, or schedule of rates, for investigation. The total suspension period in Oregon is 10 months; 30 days plus 6 months and an additional 3 months.

FISCAL NOTE

No fiscal impact to the General Fund

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